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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,055	04/18/2001	Masahide Hirasawa	B208-1132	9180

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COWAN LIEBOWITZ & LATMAN P.C.  
JOHN J TORRENTE  
1133 AVE OF THE AMERICAS  
1133 AVE OF THE AMERICAS  
NEW YORK, NY 10036

EXAMINER

SHAW, PELING ANDY

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/837,055

Applicant(s)

HIRASAWA, MASAhide

Examiner

Peling A. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. This application has claimed priority on JAPAN 119029/2000 04/20/2000. The filing date is 04/18/2001.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerszberg et al. (US 6396531 B1), hereinafter referred as Gerszberg.

- a. Regarding claim 1, Gerszberg disclosed a communication control apparatus (Fig. 9, item 513; column 22, line 39-47) for dividing one network into a first segment and a second segment, comprising: a first port connected to said first segment; a second port connected to said second segment; and control means for providing such a control as to, when a predetermined condition is satisfied, cause an isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55).

- b. Regarding claim 4, Gerszberg disclosed a communication control apparatus according to claim 1, wherein, when the isochronous packet received by said first port is an isochronous that has been transmitted from a predetermined node in accordance with an AV protocol, said control means provides such a control as to cause the isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55).
- c. Regarding claim 7, Gerszberg disclosed a communication control apparatus according to claim 1, wherein, when a mode in which an isochronous packet transmitted from any node that belongs to said first segment is prevented from being relayed to said second port is set, said control means provides such a control as to cause the isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55).
- d. Regarding claim 10, Gerszberg disclosed a communication control apparatus according to claim 1, wherein said network is a network conforming to the IEEE 1394-1995 Standard (Fig. 9, item 513; column 22, line 39-47).

Gerszberg disclosed all limitations of claims 1, 4, 7 and 10. Claim 1, 4, 7 and 10 are rejected under 35 U.S.C. 102(e).

***Claim Rejections - 35 USC § 103***

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art

to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, 5-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. (US 6396531 B1), hereinafter referred as Gerszberg as applied to claims 1, 4 and 7 above, and further in view of Johnson et al. (US 5584039 A), hereinafter referred as Johnson.

- a. Gerszberg shows (claim 1) a communication control apparatus (Fig. 9, item 513; column 22, line 39-47) for dividing one network into a first segment and a second segment, comprising: a first port connected to said first segment; a second port connected to said second segment; and control means for providing such a control as to, when a predetermined condition is satisfied, cause an isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55); (claim 4) wherein, when the isochronous packet received by said first port is an isochronous that has been transmitted from a predetermined node in accordance with an AV protocol, said control means provides such a control as to cause the isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55); (claim 7) wherein, when a mode in which an isochronous packet transmitted from any node that belongs to said first segment is prevented from being relayed to said second port is set, said control means provides such a control as to cause the isochronous packet received by said first port not to be relayed to said second port (Fig. 47; column 38, line 50-55). Gerszberg does not show (claim 2) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means

- provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port; (claim 3) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data; (claim 5) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port; (claim 6) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data; (claim 8) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port; (claim 9) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data.
- b. Johnson shows (claim 2) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port (column 3, line 5-7; column 16, line 47-55); (claim 3) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data (column 3, line 5-7; column 16, line 47-55);

- (claim 5) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port (column 3, line 5-7; column 16, line 47-55); (claim 6) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data (column 3, line 5-7; column 16, line 47-55); (claim 8) wherein, when providing such a control as to cause an isochronous packet received by said first port not to be relayed to said second port, said control means provides such a control as to replace the isochronous packet received by said first port with another isochronous packet and then to relay said another isochronous packet to said second port (column 3, line 5-7; column 16, line 47-55); (claim 9) wherein said another isochronous packet is an isochronous packet which includes dummy data or null data (column 3, line 5-7; column 16, line 47-55) in an analogous art for the purpose of coordinating execution of multiple concurrent channel programs without host processor involvement using suspend and resume commands to control data transfer between I/O devices.
- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Gerszberg's functions of control channel selection with Johnson's functions of replacing with dummy isochronous packet.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to replace no relay with dummy packet in simplifying the processing of halt or clear functions and might be defined to support only the control

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no-operation, basic sense and sense identification input/output device commands per

Johnson's teaching.

Together Gerszberg and Johnson disclosed all limitations of claims 2-3, 5-6 and 8-9. Claims

2-3, 5-6 and 8-9 are rejected under 35 U.S.C. 103(a).



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*Conclusion*

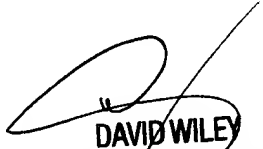
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100